



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

January 6, 2021

By ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

The issue of bail is referred to the Magistrate Judge in the first instance. In light of that, the parties should confer and advise the Court, no later than January 12, 2021, whether the Court should hold a conference now or adjourn it. Counsel should also indicate their availability the week of January 25, 2021 because it will be too late to order the Defendant for a conference during the week of January 18, 2021. The Clerk of Court is directed to terminate ECF No. 21. SO ORDERED.

Re: *United States v. Tymel Abrams, 20 CR 352 (JMF)*

Dear Judge Furman,

January 8, 2021

The Government writes on behalf of the parties and in response to the Order of the Court dated January 4, 2021. The parties respectfully submit that the conference scheduled for Tuesday, January 19, 2021 should go forward during the week of Monday, January 18, 2021 because, as the defendant has informed the Government, the defendant wishes to be heard on the issue of his continued detention at the Metropolitan Detention Center. The Government understands that the defendant requests to appear for the conference on a remote basis, either by video or telephone, either of which the parties agree is permissible under applicable law and in particular the Constitution, the CARES Act, and the Federal Rules of Criminal Procedure. At present, the parties are available to appear at any time during the week of Monday, January 18, 2021, with the exception of Wednesday, January 20, 2021 at 9:00 AM and Friday, January 22, 2021 at 9:00 AM. If the Court refers the parties on the issue of the defendant's continued detention to the magistrate on duty, then the Government of course undertakes promptly to make arrangements for an appearance before the magistrate on duty during the week of Monday, January 18, 2021.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

By: Thomas John Wright
Thomas John Wright
Assistant United States Attorney
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cc: Christopher Flood, Esq. (Counsel to Defendant Tymel Abrams) (by ECF)